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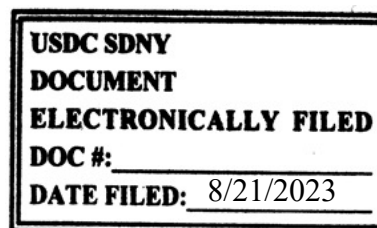
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Richard A. Levy
 Daniel Engelstein
 Richard Dorn

August 18, 2023

Honorable Katharine H. Parker
 United States Magistrate Judge
 United States District Court
 500 Pearl Street, Room 750
 New York, New York 10007

Re: Johnson v. Schuchert, et al, 22-cv-3787



Dear Judge Parker:

This firm represents Technical, Office & Professional Union, Local 2110 UAW and Rene Casiano (collectively, "Union Defendants") in the above-referenced matter. The Union Defendants, as well as Defendants The Trustees of Columbia University, Paul Schuchert, and Juan Hernandez, have served and filed motions to dismiss the Second Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiff has responded to the motions, and the Defendants' replies are due August 28, 2023. Defendants write to request that Your Honor stay the mediation referral order (ECF 9) until the Defendants' motions to dismiss are decided. Counsel for the parties conferred, including Susanne Keane of NYLAG, Plaintiff's limited scope settlement counsel, and Plaintiff objects to this request and proposed dates in October for the mediation. This is Defendants' first request for this action.

During the briefing schedule for the motions to dismiss, counsel received notice from the Mediation Office of assignment of a mediator, along with a request to set a date for our initial mediation. Because we believe that Plaintiff's claims should be dismissed in their entirety, the Union Defendants respectfully request that the Court adjourn mediation, pursuant to Section 6(b) of the Mediation Program Procedures, until the pending motions have been decided. Should any of Plaintiff's claims against the Union Defendants survive, the Union will gladly participate in the mediation process without delay. At this time, however, the Union Defendants do not believe mediation would be productive. Defendants The Trustees of Columbia University, Paul Schuchert, and Juan Hernandez join in this request.

We thank the Court in advance for its attention to this matter.

SO ORDERED:

Katharine H. Parker
 HON. KATHARINE H. PARKER
 UNITED STATES MAGISTRATE JUDGE

25-003-00136: 11438703

8/21/2023

Defendants' motion to stay the mediation referral order is denied. The parties shall schedule a mediation in October. Within one week of mediation, the parties shall write a status letter to the Court.

*Advancing the rights of
 everyone who works*

* Admitted in NY and NJ.

▪ Admitted in NY, NJ and CA.


• Admitted in NY and CA.

♦ Admitted in NY and MI.

Levy
Ratner

Hon. Katharine H. Parker
August 18, 2023
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Very truly yours,

A handwritten signature in black ink, appearing to read "Dana Lossia", written in a cursive style.

Dana E. Lossia

TO: All counsel via ECF.